

Hale Lane Peek Dennison and Howard  
3930 Howard Hughes Parkway, Fourth Floor  
Las Vegas, Nevada 89109

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**ELECTRONICALLY FILED May 10, 2006**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA COMMERCIAL MORTGAGE COMPANY  
Debtor.

Bankruptcy No. BK-S-06-10725-LBR  
Bankruptcy No. BK-S-06-10726-LBR  
Bankruptcy No. BK-S-06-10727-LBR  
Bankruptcy No. BK-S-06-10728-LBR  
Bankruptcy No. BK-S-06-10729-LBR  
(Jointly Administered)  
Chapter 11

In re:  
USA CAPITAL REALTY ADVISORS, LLC  
Debtor.

In re:  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC  
Debtor.

**NOTICE OF APPEARANCE AND  
REQUEST FOR SPECIAL NOTICE**  
(Affects: All Debtors)

In re:  
USA CAPITAL FIRST TRUST DEED FUND, LLC  
Debtor.

Hearing Date: N/A  
Hearing Time: N/A

In re:  
USA SECURITIES, LLC  
Debtor.

**PLEASE TAKE NOTICE**, that Interested Party Bank of America, N.A. (the "Bank"), enter its Appearance pursuant to 11 U.S.C. § 1109(b) and Fed. R. Bankr. P. 9010(b).

**PLEASE TAKE FURTHER NOTICE**, that pursuant to Fed. R. Bankr. P. 2002(g) and 3017(a), the Bank requests that all papers served or required to be served in this case, including any notices, pleadings, motions, applications, complaints, demands, petitions, answering or reply papers,

1 memoranda and briefs in support of any of the foregoing, and any other documents brought before this  
2 Court in the above-referenced case, be delivered to and served upon the following:

3  
4 Scott D. Fleming, Esq.  
HALE LANE PEEK DENNISON AND HOWARD  
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9 **PLEASE TAKE FURTHER NOTICE** that this Notice of Appearance and Request for  
10 Special Notice shall not be deemed to be a waiver of the Bank's right (i) to have final orders in noncore  
11 matters entered only after *de novo* review by a District Court Judge, (ii) to trial by jury in any  
12 proceeding so triable in this case or any case, controversy, or proceeding related to this case, (iii) to  
13 have the District Court withdraw the reference in any matter subject to mandatory or discretionary  
14 withdrawal, or abstain from hearing any case, controversy or proceeding, or (iv) to any other rights,  
15 claims, actions, setoffs, or recoupments to which the Bank is or may be entitled, in law or in equity, all  
16 of which rights, claims, actions, defenses, setoffs, and recoupments the Bank expressly reserves.

17 Dated this 10th day of May, 2006.

18 */s/ Scott D. Fleming*

19 \_\_\_\_\_  
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23 Attorneys for Bank of America, N.A.  
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**CERTIFICATE OF MAILING**

I certify that on the 10th day of May, 2006, I served a copy of the **NOTICE OF APPEARANCE AND REQUEST FOR SPECIAL NOTICE** by depositing a copy of the same in a sealed envelope in the United States mail, Reno, Nevada, first-class postage fully prepaid, or by electronic notification and addressed to the persons as follows: See attached list.

**Electronic notice to:**

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1 **and mailed to:**

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26 /s/ *Cyndy Arnold*

27 Employee of Hale Lane Peek Dennison and Howard